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DT04 Rec'd PCT/PTO 0 5 OCT 2004 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

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nterna	ational A	Applicat	ion No.	:		PCT/EP03/01939)	#	
ínterna	ational I	Filing D	ate	:		26 February 200	3 (26.02.2003	3)	
Priorit	y Date(s) Claim	ned	:		5 April 2002 (05	.04.2002)		
Applic	ant(s) (DO/EO	/US)	:		Ruediger OESTI	EN et al.		
Title: ELEC	POSIT TROLY	TVE-EL	LECTRODE .	ACTIVE	MATER	CESS FOR PRE	AQUEOUS PARING TH	E SAME	
<u>INFO</u>	RMAT	ION D	ISCLOSURI	E STATE	EMENT	UNDER 37 CF	R §§ 1.56, 1.	97 and 1.98	
P.O. E	30x 145	r for Pat 0 'A 2231							
Sir:									
and 1.	This in 98 as fo		on disclosure	e statemen	nt is made	e in accordance w	ith 37 C.F.R.	§§ 1.56, 1.97	
<u>Timin</u>	g and F	ees							
\boxtimes			R. § 1.97(b) tement is file		or statem	nent is required f	or filing this	information	
			three months § 1.53(d);		ling date	of a national app	lication othe	r than a CPA	
	\boxtimes		three monthation; OR	ns of the a	actual fi	ling date of the	national pha	se of a PCT	
		before RCE).		of a first s	ubsťanti	ve office action (i	including afte	er filing of an	
						isclosure stateme the mailing date		er the periods	
			a final rejec	tion under	er 37 C.F	C.R. 1.113;			
		□.	termination OR	of prosec	cution, e	.g. Ex Parte Qua	yle, M.P.E.P	§ 609(B)(2);	
			a notice of	allowance	e under 3	7 C.F.R. § 1.311	; and		

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		is accompanied by:							
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR						
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).						
			R. § 1.97(d), this information disclosure statement is filed after the mailing owing actions which have not been withdrawn:						
			a final action under 37 C.F.R. § 1.113;						
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR						
			a notice of allowance under 37 C.F.R. § 1.311;						
	AND i	s filed o	on or before payment of the issue fee; AND is accompanied by:						
			the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).						
Statem	nents Un	der 37	C.F.R. 1.97(e)						
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or						
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.						
<u>Cited</u>	Materia	<u>ls</u>							
		ancest	or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).						
	\boxtimes	_	s of materials listed but not attached were cited in an international search dated October 28, 2003.						
		Copie	s of the materials listed are attached (except for the foregoing).						

Non-English Language References

\boxtimes	office is provided indicating the relevance of the cited reference(s).
	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
	 X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document A = document defining the general state of the art O = non-written disclosure P = intercalated document T = document cited to understand the theory or principle underlying the invention E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date D = cited in the application L = cited for another reason & = publication of member of same patent family
	Translation of other relevant information on foreign search report
Other Inform	mation
Payment of	Fees Due (If Any):
A ch	neck for \$ covering the fee identified above is attached.
Plea	se charge to Deposit Account No. 13-3402 \$ for the fee identified above.

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The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Anthony J. Zelano, Reg. No. 27,969 Attorney/Agent for Applicants

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Attorney Docket No.: MERCK-2928

Date: October 5, 2004

AJZ:ssr

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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO Complete if Known Application Number USNP of PCT/EP03/01939 INFORMATION DISCLOSURE Filing Date 26 February 2003 (26.02.2003) STATEMENT BY APPLICANT First Named Inventor Ruediger OESTEN et al. **Group Art Unit** unknown (use as many sheets as necessary) **Examiner Name** unknown **MERCK-2928** Sheet of Attorney Docket Number

U.S. PATENT DOCUMENTS										
Examiner Initials *	Cite No.1	U.S. Patent Docum	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY					
***	001	5,139,901		KAWAGUCHI ET AL.	√ 08-18-1992					
	002	2001/0046628		OESTEN ET AL.	11-29-2001					
	003	6,103,416		BAEUERLEIN ET AL.	08-15-2000					
	004	6,365,299		MIYAKI ET AL.	04-02-2002					
			-							
										
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FOREIGN PATENT DOCUMENTS									
		Foreign Patent Document				Date of Publication of	Pages, Columns, Lines, Where Relevant		
Examiner Initials*	Cite No.1	Office ³	Number ⁴	Kind Code⁵ (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T⁵	
	005	JP	08250120		SANYO ELECTRIC CO.	09-27-1996			
	006	EP	1136446		MERCK PATENT GMBH	09-26-2001		002	
	007	EP	0865091		VARTA BATTERIE	09-16-1998		003	
	800	EP	0836238		FUJI PHOTO FILM CO	04-15-1998		004	
	009	JP	07288127		FUJI PHOTO FILM CO	10-31-1995			
	010	wo	97 49136		WESTAIM TECH INC	12-24-1997			

Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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Substitute for	r form 1449A/PTO			Complete if Known		
			001105	Application Number	USNP of PCT/EP03/01939	
	MATION I			Filing Date	26 February 2003 (26.02.2003)	
STATE	MENT BY	APP	LICANT	First Named Inventor	Ruediger OESTEN et al.	
				Group Art Unit	unknown	
(u.	se as many shee	ets as nec	cessary)	Examiner Name	unknown	
Sheet	2	of	2	Attorney Docket Number	MERCK-2928	

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²			
	011	CHO J ET AL.: "IMPROVEMENT OF STRUCTURAL STABILITY OF LIMN204 CATHODE MATERIAL ON 55 DEG C CYCLING BY SOL-GEL COATING OF LIC002" ELECTROCHEMICAL AND SOLID- STATE LETTERS, PISCATAWAY, NJ, vol. 2, no. 12, 1999, pages 607-609				
	012	CHO J ET AL.: "ENHANCEMENT OF THERMAL STABILITY OF LIC002 BY LIMN204 COATING" ELECTROCHEMICAL AND SOLID-STATE LETTERS, PISCATAWAY, NJ, vol. 2, no. 6, June 1999, pages 253-255				
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